

REMARKS

Claims 1-3, 5-11, and 13-18 are pending the present application. No claim amendments have been made herein.

Claims 1-3, 6, 7, 9-11, 14, 15, 17 and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0069363 to Winburn (“Winburn”). Claims 5 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Winburn as applied to claims 1 and 10 above, and further in view of U.S. Patent No. 5,991,760 to Gauvin et al. (“Gauvin”). Claims 8 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Winburn as applied to claims 1 and 10 above, and further in view of U.S. Patent No. 5,909,429 to Satyanarayana et al. (“Satyanarayana”).

Although the Examiner recites the § 103(a) rejections over Winburn as applied to claims 1 and 10, the Examiner recites U.S. Patent No. 6,779,003 to Midgley. Because the Examiner rejects claims 1 and 10 as being anticipated by Winburn, the undersigned representative understands the § 103(a) rejections to be over Winburn instead of Midgley. Accordingly, if the Examiner intended to reject the claims in over Midgley, the undersigned representative would appreciate if the Examiner would mail a new non-final Office Action with the proper rejection.

Rejection of Claims 1-3, 6, 7, 9-11, 14, 15, 17, and 18 under 35 U.S.C. § 102(e)

Claims 1-3, 6, 7, 9-11, 14, 15, 17 and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Winburn. This rejection is respectfully traversed.

Winburn does not disclose “modifying an address of the install module by the redirect module to include a parameter to indicate the remote location of the file,” as recited in claim 1 and similarly recited in claim 10. The Examiner asserts that Winburn discloses this element in para. [0027], which recites:

According to the inventive principles, the central processor 13 or 16, shown in FIGS. 2, may be used to produce an identifier as shown by step (41) in FIG. 5 related to one or more attributes of data in the authorized protected data file and according to an algorithm such as for example, a hash algorithm or other suitable algorithm for producing such an identifier as known to those skilled in the art. As shown in FIGS. 2 and 5, the camouflaging process used in translation of the authorized protected file 31 to the saved authentic backup file 33, may use compression to change the data length, encryption by symmetric or asymmetric keys as would be known to those skilled in the art, and a change in file name and location, as shown by step (43) in FIG. 5, for storage as a camouflaged file in the

storage devices 15, 17, 21 for example. By compression the relationship of size between the authentic backup file 33 and authorized protected data file 31 is changed. By encryption, the relationship of data content between the authentic backup file 33 and the authorized protected data file 31 is changed. By changing the authentic backup file 33 location(s) and name(s), the space relation between the authorized protected data file 31 and the authentic backup file 33 is changed. ***Changing or removing any relationships between the authentic backup file 33 and the authorized protected data file 31 serves to camouflage the authentic backup file 33*** so any intrusion or unauthorized modification of the authorized protected data file 31, causing its compromise, will be preventing from extending to the discovery of the location or identity of the authentic backup file 33.

Para. [0027] (emphasis added); *see also* Para. [0026] (“To protect the integrity of the authorized protected data files data contents, an authentic backup file 33 is constructed and its location and identity camouflaged to remove any direct relation between any of the attributes of the authorized protected data file and the corresponding authentic backup file.”). Thus, Winburn recites ***hiding*** the location of a backup file to remove its relationship with a protected file.

In direct contrast, claims 1 and 10 recite “modifying an address of the install module by the redirect module to include a parameter to **indicate the remote location of the file.**” Exemplary support can be found in the specification, which recites:

Redirect module 114 is associated with filter 104. As stated above, if a remote file fails the integrity check of the present invention, then the present invention provides the capability to reinstall a trustworthy version of the same file at the remote site. ***Redirect module 114 works with install module 118 to inform it of the location of the remote file that failed the integrity check.*** In an embodiment of the present invention, redirect module 114 is implemented via a JavaScript function call. The redirect feature of the present invention is described in more detail below with reference to FIG. 4.

Para. [0033] (emphasis added). Thus, in claim 1, the address is modified to ***locate*** the file, whereas Winburn changes the location to ***hide*** a backup file.

Further, Winburn describes a local system, but fails to disclose a file remote from the local system. As a result, Winburn does not disclose a “**remote location of the file.**” The entire Winburn disclosure represents a local, not remote system, which is the reason Winburn attempts to hide its authentic backup file. Further evidence of the locality of the system is shown in para. [0031] describing the process of restoring a protected file:

Upon the indication (59), of a difference between the identifier stored in the recovery data group 35 in active memory 14 for the authorized protected data file 31, with the test identifier produced for the current protected file, the processor

13, 16, accesses and reads (63) the recovery indica from the recovery address group 35 and representing the camouflaged authentic backup file 35 and uses that indica to locate and retrieve (65) the authentic backup file 33, file, decrypt it using the stored decryption key and decompress it, deleting the compressed file and using the authentic data backup file to reconstructed authorized protected data file 31, (69) and to **write it to the current protected data file 31, (71)** to restore the current protected data file with the reconstructed copy, of the authorized protected data file 31 as it was in its last authorized data state and stored as the authentic backup file 33.

Winburn's system recites only local access to write to the protected data file 31. Winburn fails to disclose any authorization needed to write to a remote file. As a result, protected data file 31 cannot represent a remote file. Therefore, Winburn's local system does not disclose a "remote location of the file."

Additionally, Winburn does not disclose "communicating the request by the authentication module to the install module in a **login page that instantiated the file at the remote location**," as recited in claim 1 and similarly recited in claim 10. First, as discussed above, Winburn does not disclose a remote location and, thus, a file at the remote location. Second, Winburn does not disclose "a login page that instantiated the file at the remote location." The Examiner asserts that Para. [0031] of Winburn discloses this element, however, the paragraph is directed to restoring a protected file and does not disclose any method of authentication, such as a login page.

Further, Winburn does not disclose "**reinstalling the file by the install module at the remote location** via the communication medium, thereby maintaining the integrity of the file," as recited in claim 1 and similarly recited in claim 10. The Examiner asserts that Para. [0031] of Winburn discloses this element. However, as discussed above, Winburn's system is local and cannot even be adapted to perform on a remote file.

Therefore, Winburn does not anticipate independent claims 1 and 10 and similarly does not anticipate claims 2, 3, 6, 7, 9, 11, 14, 15, 17, and 18 depending on claims 1 and 10, and which recite further specific elements that have no reasonable correspondence with Winburn. Thus, it is respectfully requested that the rejection under 35 U.S.C. § 102(e) be withdrawn.

Rejection of Claims 5 and 13 under 35 U.S.C. § 103(a)

Claims 5 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Winburn as applied to claims 1 and 10 above, and further in view of Gauvin. This rejection is

respectfully traversed. For the reasons set forth above with respect to claims 1 and 10, Winburn does not establish a *prima facie* case of obviousness with respect to claim 1, because Winburn does not teach or suggest each and every element. Additionally, for at least the reasons set forth above with respect to claims 1 and 10, Gauvin fails to cure the deficiencies of Winburn. Because claims 5 and 13 depend on claims 1 and 10, it is respectfully submitted that claims 5 and 13 are also in condition for allowance.

Additionally, Winburn and Gauvin fail to teach or suggest “**generating a reinstallation web page**, by the install module, based on a request from the remote location,” as recited in claim 5 and similarly recited in claim 13. Although Gauvin recites downloading via a client browser, Gauvin does not teach or suggest “generating a reinstallation web page.” The Examiner’s citation to col. 6, lines 17-60 of Gauvin does not support the Examiner’s assertion. In fact, Gauvin recites downloading additional websites that are reviewed only when the client computer is disconnected from the network. Col. 9, lines 1-14. Such websites, as a result, cannot function as a reinstallation web page when reviewed after the client computer is no longer connected to the network. Therefore, neither Winburn nor Gauvin teach or suggest each and every element of claims 5 and 13.

Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 5 and 13.

Rejection of Claims 8 and 16 under 35 U.S.C. § 103(a)

Claims 8 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Winburn as applied to claims 1 and 10 above, and further in view of Satyanarayana. This rejection is respectfully traversed. For the reasons set forth above with respect to claims 1 and 10, Winburn does not establish a *prima facie* case of obviousness with respect to claim 1, because Winburn does not teach or suggest each and every element of claim 1. Additionally, for at least the reasons set forth above with respect to claims 1 and 10, Satyanarayana fails to cure the deficiencies of Winburn. Because claims 8 and 16 depend on claims 1 and 10, it is respectfully submitted that claims 8 and 16 are also in condition for allowance.

Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 8 and 16.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 504402.

Respectfully submitted,

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